

Version with Markings to Show Changes Made

1. (Amended) A voice messaging system, comprising:
a telephone line interface;
a voice recorder/playback module;
a controller adapted to control functions of said voice messaging system; and

a ring signal bypass module adapted to detect a presence of a non-ring signal indicating a presence of an incoming call, and to cause said [telephone line interface] voice messaging system to answer said incoming call [place a telephone line in an off-hook condition] before reception of an initial ring signal relating to said incoming call by said voice messaging system.

4. (Twice Amended) A method of allowing bypass of a ring signal in a voice messaging system, comprising:

receiving a non-ring signal indicating a presence of an incoming call to said voice messaging system; and

answering said incoming call by said voice messaging system [by placing a telephone line in an off-hook condition] before a reception of any ring signal by said voice messaging system.

8. (Twice Amended) Apparatus for allowing bypass of a ring signal in a voice messaging system, comprising:

means for receiving a non-ring signal indicating a presence of an incoming call to said voice messaging system; and

means for answering said incoming call by said voice messaging system [by placing a telephone line in an off-hook condition] before a reception of any ring signal by said voice messaging system.

12. (Amended) A method of allowing a calling party to bypass a ring signal in a voice messaging system of a called party, said voice messaging system including voice message memory for recording a voice message, the method comprising:

providing a ring signal bypass module in said voice messaging system;

activating said ring signal bypass module based on a request from said calling party; and

bypassing all ring signals to said voice messaging system by answering a call from said calling party by said voice messaging system [placing a telephone line in an off-hook condition] before a reception of any ring signal by said voice messaging system.

REMARKS

Claims 1, 4, 8 and 12 are amended herein. Claims 1-15 remain pending in this application.

Claims 1-6 and 8-10 over Koyama

In the Office Action, claims 1-6 and 8-10 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated over Koyama, U.S. Patent No. 5,894,505 (“Koyama”). The Applicants respectfully traverse the rejection.

Claims 1-3 recite, *inter alia*, a ring signal bypass module adapted to detect a presence of a non-ring signal indicating a presence of an incoming call, and to cause said telephone line interface to intercept the incoming call before reception of an initial ring signal relating to the incoming call by a voice messaging system. Claims 4-6 and 8-10 recite, *inter alia*, answering an incoming call by a voice messaging system before a reception of any ring signal by the voice messaging system.

Koyama appears to a telephone answering machine with a calling party information reception unit (Abstract). A main control unit compares calling party information with calling party information stores in memory (Koyama, Abstract). Rejected calls initiate a first response message and accepted calls initiate a second response message (Koyama, Abstract). When a calling party calls the telephone answering machine, a polarity reverse signal is transmitted to the telephone answering machine indicating a transmission of calling party information (Koyama, col. 10, lines 3-8). A main control unit generates a communication path to an exchange, to make the calling party information reception unit receive calling party information (Koyama, col. 10, lines 22-27). When the reception of the calling party information is completed, the main control unit makes the line interface release the communication line (Koyama, col. 10, lines 27-30).

Koyama teaches diverting an incoming call to an exchange, where calling party information is detected prior to forwarding the incoming call to a voice messaging system. Koyama fails to teach when a voice messaging system performs its functions relative to ring signals, much less a voice messaging

system that answers an incoming call before receipt of a ring signal, as claimed by claims 1-6 and 8-10.

Accordingly, for at least all the above reasons, claims 1-6 and 8-10 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 7 and 11-15 over Koyama in view of Borland

In the Office Action, claims 7 and 11-15 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Koyama in view of Borland et al., U.S. Patent No. 6,128,382 ("Borland"). The Applicants respectfully traverse the rejection.

Claims 7 and 11 are dependent on claims 4 and 8 respectively, and are allowable for at least the same reasons as claims 4 and 8.

Claims 7 and 11 recite, *inter alia*, answering an incoming call by a voice messaging system before a reception of any ring signal by the voice messaging system. Claims 12-15 recite, *inter alia*, bypassing all ring signals to a voice messaging system by answering a call from a calling party by the voice messaging system before a reception of any ring signal by the voice messaging system.

As discussed above, Koyama fails to teach a voice messaging system that answers an incoming call before receipt of a ring signal, as claimed by claims 7 and 11-15.

The Office Action relies on Borland to allegedly make up for the deficiencies in Koyama to arrive at the claimed invention. The Applicants respectfully disagree.

Borland appears to teach a telephone system that enables a caller to leave a message on a telephone without the telephone first generating a ring sound (Abstract). The telephone receives an incoming telephone call from a caller, and if a ring/message option feature is enabled, the telephone answers the incoming call prior to the telephone generating a ring sound (Borland, Abstract). The caller then leaves a message (Borland, Abstract). The caller may leave a message without disturbing a user (Borland, Abstract). The answering

machine is in a telephone within a premises of the user, the telephone being connected to a telephone company (Borland, Fig. 1 and 2).

Borland teaches a telephone answering machine with the option to leave messages without first ringing a user to announce an incoming call. Borland's telephone with a voice messaging system is connected to a telephone company. A telephone with a voice messaging system connected to a telephone company first receives a ring signal from the telephone company indicating an incoming call. Borland fails to teach a voice messaging system that answers an incoming call before receipt of a ring signal, as claimed by claims 7 and 11-15.

Neither Koyama nor Borland, either alone or in combination, disclose, teach or suggest a voice messaging system that answers an incoming call before receipt of a ring signal, as claimed by claims 7 and 11-15.

Accordingly, for at least all the above reasons, claims 7 and 11-15 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



William H. Bollman
Reg. No. 36,457

Manelli Denison & Selter PLLC
2000 M Street, NW
Suite 700
Washington, DC 20036-3307
TEL. (202) 261-1020
FAX. (202) 887-0336

WHB/df